IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.455 OF 2006

Suryakant Bapu Patil .. Appellant.
Vs.
Kondiba Ramchandra Lawate
since deceased through LRs.
Smt.Yashodabai w/o Kondiba
Lawate & Ors. .. Respondents.

Mr.B.R.Patil for the appellant.
Mr.Surel Shah for respondent nos.1B to 1E and respondent nos.2 to 6.

CORAM : D.B.BHOSALE, J.

DATED : 31ST JANUARY, 2007

P.C.:

. Heard learned counsel for the parties.

2. This appeal by defendant no.6 is directed against the concurrent judgments rendered by the courts below decreeing the suit filed by the respondents-plaintiffs. The suit was filed for possession of the land over which the shades of defendant nos.7 to 11, as described in the plaint paragraph 1-B, stand. According to defendant nos.7 to 11 they were put in possession of the land, on which they erected the shades, by the appellant - defendant no.6. The appellant claims that he has acquired ownership of the said land by adverse possession.

Both the courts below after having taken into consideration all the evidence placed before them have concurrently held that the respondent-plaintiff has proved his title to the suit property and have negatived the plea of the appellant that he acquired ownership thereof by adverse possession. In my opinion, no substantial question of law is either involved or raised in the instant appeal. Considering that there are concurrent findings recorded by the courts below and as I find sufficient material on record to sustain those findings and considering the extremely limited jurisdiction of this court under section 100 of the Code of Civil Procedure to disturb the findings of fact this appeal fails and is dismissed as such.

(D.B.Bhosale, J.)